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Honorable Mike K. Nakagawa  
2  
United States Bankruptcy Judge  
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4  
Entered on Docket  
5  
October 26, 2023  
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34  
**UNITED STATES BANKRUPTCY COURT**  
35  
**DISTRICT OF NEVADA**  
36

37  
In re:  
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39  
CASH CLOUD, INC.,  
40  
dba COIN CLOUD,  
41

42  
Debtor.  
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44  
Case No.: Case No. BK-S-23-10423-MKN  
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Chapter 11  
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**ORDER APPROVING STIPULATION**  
**REGARDING SCHEDULING OF**  
**DATES IN CONNECTION WITH**  
**JOINT MOTION TO APPROVE**  
**SETTLEMENT AGREEMENT WITH**  
**COLE KEPRO INTERNATIONAL,**  
**LLC PURSUANT TO FEDERAL**  
**RULE OF BANKRUPTCY**  
**PROCEDURE 9019[ECF NO. 1295]**  
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50  
Hearing Date: November 1, 2023  
51  
Hearing Time: 9:30 a.m.  
52

CARLYON CICA CHTD.  
 265 E. Warm Springs Road, Suite 107  
 Las Vegas, NV 89119

1                   The Court, having reviewed and considered the *Stipulation Regarding Scheduling of*  
 2 *Dates in Connection with Joint Motion to Approve Settlement Agreement with Cole Kepro*  
 3 *International, LLC Pursuant to Federal Rule of Bankruptcy Procedure 9019[ECF No. 1295]*  
 4 entered into by Chris McAlary (“McAlary”), Cash Cloud, Inc. (“Debtor”) and Official  
 5 Committee of Unsecured Creditors (the “Committee”), and good cause appearing:

6                   **IT IS HEREBY ORDERED** that the Stipulation [ECF No. 1411] attached as Exhibit 1  
 7 is approved in its entirety.

8                   **IT IS FURTHER ORDERED** that the following dates shall apply with respect to *Joint*  
 9 *Motion to Approve the Settlement Agreement with Cole Kepro International, LLC Pursuant to*  
 10 *Federal Rule of Bankruptcy Procedure 9019[ECF No. 1295].*

EVENT	DATE
30(b)(6) Deposition of Debtor Cash Cloud Inc.	<b>October 24, 2023 at 9:00 a.m.</b>
Deadline for McAlary to object to Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC (the “Objection”)	<b>10 days prior to the Hearing Date</b>
30(b)(6) Deposition of the Official Committee of Unsecured Creditors Inc.	<b>October 30, 2023 at 9:00 a.m.</b>
All declarants to be made available for remote deposition at dates convenient to the witnesses and counsel.	<b>No later than 7 days prior to the Hearing Date</b>
Deadline for Debtor and the Committee to file Replies in support of Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC	<b>5 days prior to the Hearing Date</b>
Hearing Date - (Half Day) Court will enter date	<b>November 28, 2023 at 1:30 p.m. (In Person Hearing)</b>

1 IT IS SO ORDERED.  
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3

Submitted by:

4 CARLYON CICA CHTD.

5 By: /s/ Dawn M. Cica, Esq.  
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9 *Counsel for Christopher McAlary*

FOX ROTHSCHILD LLP

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Nevada Bar No. 16264  
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10 SEWARD & KISSEL LLP  
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12 By: /s/ Laura E. Miller, Esq.  
13 John R. Ashmead, Esq.  
Robert J. Gayda, Esq.  
14 Catherine V. LoTempio, Esq.  
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Andrew J. Matott, Esq.  
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17 -and-

18 MCDONALD CARANO LLP

19 Ryan J. Works, Esq. (NSBN 9224)  
20 Amanda M. Perach, Esq. (NSBN 12399)  
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*Counsel for Official Committee of  
Unsecured Creditors*

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# **EXHIBIT “1”**

**EXHIBIT “1”**

1                   **CARLYON CICA CHTD.**  
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 3                   (*pro hac vice admitted*)  
 4                   Christopher D. Johnson, Esq.  
 5                   (*pro hac vice admitted*)  
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 13                  *Co-Counsel for Chris McAlary*

8                   **UNITED STATES BANKRUPTCY COURT**  
 9                   **DISTRICT OF NEVADA**

10                  In re:

11                  CASH CLOUD, INC.,  
 12                  dba COIN CLOUD,

13                  Debtor.

14                  Case No.: Case No. BK-S-23-10423-MKN

15                  Chapter 11

16                  **STIPULATION REGARDING**  
 17                  **SCHEDULING OF DATES IN**  
 18                  **CONNECTION WITH JOINT MOTION**  
 19                  **TO APPROVE SETTLEMENT**  
 20                  **AGREEMENT WITH COLE KEPERO**  
 21                  **INTERNATIONAL, LLC PURSUANT**  
 22                  **TO FEDERAL RULE OF**  
 23                  **BANKRUPTCY PROCEDURE**  
 24                  **9019[ECF NO. 1295]**

25                  Hearing Date: November 1, 2023

26                  Hearing Time: 9:30 a.m. (PT)

27                  Chris McAlary (“McAlary”), by and through his counsel, the law firm of Carlyon Cica,  
 28                  Chtd.; Cash Cloud, Inc. (“Debtor”) by and through its counsel Fox Rothschild LLP; and the  
 29                  Official Committee of Unsecured Creditors (the “Committee”) by and through its counsel  
 30                  McDonald Carano LLP and Seward & Kissel LLP hereby stipulate and agree as follows (the  
 31                  “Stipulation”):

## RECITALS

2 WHEREAS, on September 22, 2023, Debtor and the Committee filed a Joint Motion to  
3 Approve Settlement Agreement with Cole Kepro International, LLC Pursuant to Federal Rule of  
4 Bankruptcy Procedure 9019 (the “9019 Motion”) [ECF No. 1295].

5 WHEREAS, the hearing on the Joint Motion to Approve Settlement Agreement with  
6 Cole Kepro International, LLC [ECF No. 1295] is set for November 1, 2023 at 9:30 a.m. (PT).

7 WHEREAS, the current deadline for McAlary to file his Opposition (“Opposition”) to  
8 the Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC [ECF  
9 No. 1295] is October 19, 2023, as agreed to by the Debtor and the Committee.

10 WHEREAS, the Parties have conferred and agreed to certain deadlines in connection  
11 with the 9019 Motion and wish to memorialize said deadlines by way of this Stipulation;

12 NOW, THEREFORE, the Parties hereby stipulate and agree to the following:

13 IT IS STIPULATED AND AGREED that:

14 || 1. The following dates/schedule shall apply:

EVENT	DATE
30(b)(6) Deposition of Debtor Cash Cloud Inc.	<b>October 24, 2023 at 9:00 a.m.</b>
Deadline for McAlary to object to Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC (the “Objection”)	<b>10 days prior to the Hearing Date</b>
30(b)(6) Deposition of the Official Committee of Unsecured Creditors Inc.	<b>October 30, 2023 at 9:00 a.m.</b>
All declarants to be made available for remote deposition at dates convenient to the witnesses and counsel.	<b>No later than 7 days prior to the Hearing Date</b>
Deadline for Debtor and the Committee to file Replies in support of Joint Motion to Approve Settlement Agreement with Cole Kepro International, LLC	<b>5 days prior to the Hearing Date</b>
Proposed Hearing Dates - (Half Day) (subject to Court calendar )	<b>November 13, 2023 or November 16, 2023</b>

1           2. Pursuant to LR 9017, the Parties agree to the alternate direct testimony procedure with  
2 respect to the 9019 Motion; provided, that notwithstanding LR 9017(e), any witness that does  
3 not reside, is not employed, or does not regularly transact business in person within the District  
4 of Nevada shall be permitted to appear for cross examination, rebuttal, and surrebuttal via  
5 videoconference; provided however for the avoidance of doubt that nothing herein shall be  
6 construed to abridge Rule 32(a)(4)(2) of the Federal Rules of Civil Procedure as made applicable  
7 pursuant to Rule 7032 of the Federal Rules of Bankruptcy Procedure.

8           3. Counsel shall be permitted to attend the Evidentiary Hearing via videoconference.

9           **IT IS SO STIPULATED AND AGREED.**

10           **CARLYON CICA CHTD.**

11           **FOX ROTHSCHILD LLP**

12           By: /s/ Dawn M. Cica, Esq.  
13           CANDACE C. CARLYON, ESQ.  
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19           *Counsel for Christopher McAlary*

20           By: /s/ Brett A. Axelrod, Esq.  
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27           *Counsel for Debtor*

28           **SEWARD & KISSEL LLP**

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2           John R. Ashmead, Esq.  
3           Robert J. Gayda, Esq.  
4           Catherine V. LoTempio, Esq.  
5           Laura E. Miller, Esq.  
6           Andrew J. Matott, Esq.  
7           *(pro hac vice applications granted)*  
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10           -and-

11           **MCDONALD CARANO LLP**

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13           Amanda M. Perach, Esq. (NSBN 12399)  
14           2300 West Sahara Avenue, Suite 1200  
15           *Counsel for Official Committee of*  
16           *Unsecured Creditors*

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**CERTIFICATE OF SERVICE**

I am an employee of Carlyon Cica Chtd. On the date of filing of the foregoing papers with the Clerk of Court I caused a true and correct copy to be served in the following manner:

ELECTRONIC SERVICE: Pursuant to LR 2002 of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed and served on all parties and attorneys who are filing users through the Notice of Electronic Filing automatically generated by the Court.

UNITED STATES MAIL: By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

OVERNIGHT COURIER: By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally recognized courier, addressed to the parties listed below which was incorporated by reference and made final in the w at their last-known mailing address.

FAXSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

I declare under penalty of perjury that the foregoing is true and correct.

/s Cristina Robertson

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An employee of Carlyon Cica Chtd.

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